

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

In re the Marriage of HILARY and
THOMAS WILLIAMS.

H028532

(Santa Clara County
Super. Ct. No. FL090019)

HILARY JANE WILLIAMS,

Respondent,

v.

THOMAS MICHAEL WILLIAMS,

Appellant.

**ORDER MODIFYING OPINION
AND DENYING REHEARING**

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on May 17, 2007 be modified in the following particulars:

1. On page 26, line 5 of the second full paragraph, the word “expressly” is to be inserted between the words “that” and “allows” so that the sentence reads:

Primarily, we find no precedent that expressly allows attribution of an assumed rate of return on the supporting parent’s home equity in determining the parent’s income for the purpose of calculating guideline child support, even if a certain amount of home equity is sheltered.

2. The last paragraph on page 5, after the sentence ending “was held on August 31, 2004.” add as footnote 8 the following footnote, which will require renumbering of all subsequent footnotes:

⁸ Pursuant to the parties’ stipulation, the matter was heard by Richard C. Berra, Temporary Judge (see Cal. Const., art. VI, § 21).

The petition for rehearing is denied.

The modification does not effect a change in the judgment.

BAMATTRE-MANOUKIAN, ACTING P.J.

DUFFY, J.